

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Elizabeth Chiappa	Team: Team # 2	CCRB Case #: 200403228	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 04/01/2004 7:00 PM	Location of Incident: in front of his home	Precinct: 44	18 Mo. SOL 10/1/2005	EO SOL 10/1/2005	
Date/Time CV Reported Fri, 04/09/2004 12:51 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/09/2004 12:51 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Christophe McCormack	04729	895704	044 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Robert Nugent	07494	920663	044 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Christophe McCormack	Abuse: Sgt. Christophe McCormack entered and searched § 87(2)(b) in the Bronx on January 22, 2003.	
B.SGT Christophe McCormack	Abuse: Sgt. Christophe McCormack threatened to notify Administration for Children's Services on January 22, 2003.	
C.SGT Christophe McCormack	Force: Sgt. Christophe McCormack used physical force against § 87(2)(b) on April 1, 2004.	

### Synopsis

§ 87(2)(b) called the CCRB on April 9, 2004 to report two complaints against Sgt. Christopher McCormack. The first incident was on January 22, 2003. On this date, § 87(2)(b) was instructed by officers to go downstairs and verify that his friend, § 87(2)(b), was his acquaintance and was coming to visit him. When § 87(2)(b) returned to his apartment, PO Robert Nugent was § 87(2)(b) in the hallway and Sgt. McCormack was searching § 87(2)(b)'s apartment. A large proportion of this complaint was investigated in case #200300663 (filed by § 87(2)(b) but the apartment search was not. § 87(2)(b) also added that Sgt. McCormack threatened § 87(2)(b)'s sister) that he was going to call the Administration of Children's Services.

The second incident occurred on April 1, 2004. § 87(2)(b) was on his way to the laundromat when Sgt. McCormack and his partner exited their vehicle. Sgt. McCormack then "threw" § 87(2)(b) against a wall, handcuffed him, unbuckled his pants (leaving his boxers on), grabbed § 87(2)(b) by the penis, and "dragged" him into the laundromat. § 87(2)(b) was charged with criminal sale of marijuana 4<sup>th</sup> and he eventually sought medical treatment for his inner thigh muscle and his penis. § 87(2)(b) added that he has an ongoing problem with Sgt. McCormack, who sees him often in the neighborhood and "every time" informs him that he is going to arrest him and send him to Riker's Island. (This was not pled as an allegation as no specific dates were provided.)

The investigator spoke with § 87(2)(b) on three occasions and an appointment was scheduled at the CCRB. § 87(2)(b) however, called the investigator on April 19, 2004 and stated that he wished to withdraw all his complaints, as his mother had asked him to do so. § 87(2)(b) confirmed that he withdrew his complaints voluntarily, and Mgr. DiIorio confirmed on April 23, 2004 that his withdrawal was done freely. A withdrawal letter was sent to § 87(2)(b) and will be added to the file upon its receipt. The  
§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: